

M I N U T E S
SANDY CITY COUNCIL MEETING

Sandy City Hall - Council Chamber Room #211
10000 Centennial Parkway
Sandy, Utah 84070

JANUARY 3, 2006

Meeting was commenced at 7:05 p.m.

PRESENT:

Council Members: Chairman Steve Fairbanks, Vice Chairman Linda Martinez Saville, Bryant Anderson, Scott Cowdell, Chris McCandless, Stephen Smith, and Dennis Tenney

Mayor: Tom Dolan

Others in Attendance: CAO Byron Jorgenson; City Attorney Walter Miller; Community Development Director Mike Coulam; Senior Planner James McNulty; Public Utilities Director Shane Pace; Public Works Director Rick Smith; Deputy to the Mayor John Hiskey; Assistant CAO James Davidson; Council Office Director Phil Glenn; Council Office Manager Naleen Wright

ABSENT/EXCUSED:

1. **OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by Boy Scout Michael Plumb of Troop #893, and the Pledge was led by Tanner Jones, also of Troop #893.

2. **CITIZEN(S) COMMENTS:**

a. None

PUBLIC HEARING(S):

3. **Code Amendment: Amend Accessory Buildings & Uses & Zoning for Animals**

Public Hearing to consider an amendment to Title 15, Land Development Code, Revised Ordinance of Sandy City, by amending Sections 15-05-04(F), "Accessory Buildings and Uses," and Section 15-05-04(G), "Zoning for Animals."

DISCUSSION: Senior Planner James McNulty explained that in response to a request of the City Council, the Planning Division has prepared a proposed code amendment to Title 15, Land Development Code, Revised Ordinance of Sandy City, by amending Sections 15-05-04(F), "Accessory Buildings and Uses," and Section 15-05-04(G), "Zoning for Animals." The proposed amendments would allow some flexibility when reviewing applications for accessory structures that are intended to house farm animals. The proposed changes will only affect properties that have animal rights or an "A" designation at the end of the zone (e.g. R-1-15A, R-1-20A, R-1-30A, R-1-40A).

The amendments are intended to allow for some flexibility within the ordinance that regulates accessory structures and farm animals. Specifically, the proposed ordinance amendments would allow for an accessory structure on a property with animal rights prior to construction of a primary residence. Other slight text modifications have also been included.

The proposed ordinance amendments will not create any additional non-conforming uses within any zoning district. It is intended to provide a mechanism for City Staff to review and approve accessory structures that are intended to house farm animals.

Staff Recommendation:

The Community Development Department respectfully requests that the City Council adopt the proposed ordinance amendments for the following reasons:

- 1) ***The proposed ordinance amendments are consistent with the Purpose of the Land Development Code.***

- 2) ***The proposed ordinance amendments do not conflict with the Goals and Policies of the General Plan.***
- 3) ***The proposed ordinance amendments will provide greater flexibility during the review process for accessory structures intended to house farm animals.***

The Planning Commission first reviewed this amendment on December 1, 2005, but continued the item to allow Planning Staff to make some minor modifications to Exhibit "A". On December 15, 2005, they voted unanimously to recommend to the Council to approve the code amendment.

The Chairman opened and closed the Public Hearing, as there were no comments made by the public.

Council Discussion:

Councilman Stephen Smith asked if a time limit had been set, within the proposed ordinance language, limiting the time a structure which is built expressly for animals could be on the property before a domicile was constructed.

Mr. McNulty indicated that a structure can, by the proposed ordinance, be built for animals without a house being constructed on the property. No time restriction has been set, at this time.

Mike Coulam noted that the Planning Commission also had some concerns about the lack of a time restriction. He emphasized, however, that there are few remaining situations where this could occur; land values are so high that it is doubtful such uses would proliferate. It was determined that during the review of the Development Code that this issue would be considered. With this in mind, the Planning Commission was willing to make the recommendation that the Council adopt the ordinance as presented.

MOTION: **Chris McCandless made the motion that the appropriate documents be brought back in one week to adopt the proposed amendment to Title 15, Land Development Code, Revised Ordinance of Sandy City, by amending Sections 15-05-04(F), "Accessory Buildings and Uses," and Section 15-05-04(G), "Zoning for Animals."**

SECOND: **Dennis Tenney**

VOTE: **McCandless- Yes, Tenney- Yes, Smith- Yes, Cowdell- Yes
Saville- Yes, Anderson- Yes, Fairbanks- Yes**

**MOTION PASSED
7 in favor**

COUNCIL ITEMS:

- 4) **Request to Deed Property to UDOT/State Street Widening Project**
Approval to dedicate a portion of property located at 9485 South State Street to UDOT for the widening of State Street.

DISCUSSION: **Public Works Director Rick Smith** stated that he had been asked by Economic Development Director **Randy Sant** to explain this issue. Mr. Smith advised the Council that under guidelines established by State law, it is legal for a municipality to dedicate property to UDOT in exchange for road improvements that will be completed and paid for by UDOT. The aforementioned property is located at 9485 South State Street, Sandy, Utah, and is needed to complete the widening of State Street at that location.

Council Discussion:

Steve Fairbanks asked if a value had been placed upon this property.

City Attorney Walter Miller explained that because we are receiving road improvements in exchange for the property, it amounts to an exchange of property for road improvements. Mr. Miller added that this is not a buildable parcel. It would be very expensive to get an appraisal, and the expense may be more than it is worth.

Rick Smith added that an appraisal could cost from \$1,400 to \$1,500.

Scott Cowdell noted that it doesn't matter how much the property is worth, because the use of the property in exchange for road improvements is to resolve a public safety issue by widening State Street.

Chris McCandless stated that the City was getting a good deal. He said he would not want to do anything that would offend UDOT. He stated that an appraisal would not be expensive, as it could be done in-house, if that need was determined by the Council.

MOTION: Dennis Tenney made the motion that the Council approve the dedication of the identified property located at approximately 9485 South State Street as outlined by Rick Smith.
SECOND: Scott Cowdell
VOTE: Tenney- Yes, Cowdell- Yes, Smith- Yes, Saville- Yes, McCandless- Yes, Anderson- Yes, Fairbanks- Yes,

MOTION PASSED
7 in favor

MINUTES:

5. Approving the November 29, 2005, December 6, 2005, and December 13, 2005 City Council Meeting Minutes.

MOTION: Chris McCandless made the motion to adopt the November 29, 2005 Council Minutes as amended, and the December 6, 2005, and December 13, 2005 City Council Meeting Minutes as presented.
SECOND: Dennis Tenney
VOTE: McCandless- Yes, Tenney- Yes, Smith- Yes, Saville- Yes, Anderson- Yes, Cowdell- Yes, Fairbanks- Yes,

MOTION PASSED
7 in favor

6. **MAYOR'S REPORT:**

a. Completed in Planning Meeting.

7. **CAO'S REPORT:**

a. **CAO Byron Jorgenson** advised the Council that the City will be implementing a computer program that will provide a tracking process for projects undergoing the development review process through City Staff and the Planning Commission. The new program will give Staff the ability to verify for the developer where exactly his project is in the complicated review process.

8. **COUNCIL OFFICE DIRECTOR'S REPORT:**

a. Phil Glenn reminded the Council of the Utah League of Cities & Towns upcoming January 18th Local Officials' Day with the Legislature. Registrations need to be submitted as soon as possible. Lunch will be served at the Sheraton Hotel on 500 South 200 West at noon. Wednesday, January 4th is scheduled for a meeting of the Historic Master Plan Committee in the Multi-purpose room.

9. **OTHER COUNCIL BUSINESS:**

a. **Linda Martinez Saville** informed the Council that Noal Bateman is quite ill. She visited him in a retirement home. While she was there she also visited Bill Clough and his wife, who are also residents of the retirement center. Mrs. Saville suggested that the Council might want to send get well cards to both individuals.

b. **Chris McCandless** jokingly commented, "I'm sure glad I'm not the new guy anymore."

At approximately 7:35 p.m., Scott Cowdell made a motion to adjourn Council Meeting, motion seconded by Dennis Tenney.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

**Steve Fairbanks
Council Chairman**

**Naleen Wright
Council Office Manager**

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